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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHANNON TAYLOR, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

TRUSTED MEDIA BRANDS, INC.,

Defendant.

Case No. 16-cv-01812-KMK

**DECLARATION OF LANA LUCCHESI  
RE: NOTICE PROCEDURES**

I, **LANA LUCCHESI**, declare:

1. I am a Senior Project Manager at Kurtzman Carson Consultants LLC ("KCC"). I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. KCC was retained by the parties to serve as the Claims Administrator to, among other tasks, email the Notice of Proposed Class Action Settlement (the "Email Notice"); mail the Notice of Proposed Class Action Settlement Postcard Notice and Claim Form ("the Postcard Notice"); receive and process Claim Forms, respond to Class Member inquiries; to establish and maintain a settlement website and perform other duties as specified in the Class Action Settlement Agreement (the "Settlement Agreement") preliminarily approved by this Court on October 17, 2017.

**EXPERIENCE**

3. KCC is a class action administration firm that provides comprehensive class action services, including legal notification, email and postal mailing campaign implementation, website design, call center support, class member data management, claims processing, check and voucher disbursements, tax reporting, settlement fund escrow and reporting, and other related services critical to the effective administration of class action settlements. KCC has developed efficient, secure and cost-effective methods to properly handle the voluminous data and mailings associated with the noticing,

claims processing, and disbursement requirements of settlements to ensure the orderly and fair treatment of class members and all parties of interest.

4. KCC's business is national in scope. Since 1984, KCC—along with Rosenthal & Company, which was acquired by KCC in 2010, and Gilardi & Co. LLC, which was acquired by KCC in 2015—has been retained to administer more than 6,000 class actions. KCC has provided noticing solutions in cases ranging from 22 to more than 22 million class members and has distributed settlement payments totaling well over two billion dollars in the aggregate.

### NOTICE AND ADMINISTRATION SERVICES

5. **CAFA Notification.** In compliance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing the following documents: Class Action Complaint (with Exhibits), Motion for Preliminary Approval of Class Action Settlement, Class Action Settlement Agreement (with Exhibits), forms of Class Notice (filed as exhibits to the Class Action Settlement Agreement), and [Proposed] Preliminary Approval of Settlement Order, which accompanied a cover letter (collectively, the "CAFA Notice Packet"). A copy of the cover letter is attached hereto as Exhibit A.

6. On June 16, 2017, KCC caused five (5) CAFA Notice Packets to be mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on Exhibit B, *i.e.*, the U.S. Attorney General, the Attorney General of Michigan, and parties of interest to this Action.

7. As of the date of this declaration, KCC has received no response to the CAFA Notice Packet from any of the recipients identified in paragraph six above.

8. **Emailed Notice and Mailed Notice.** On June 27, 2017, the Defendant provided KCC with a list of 1,103,531 persons identified as the Class Member List. KCC entered the Class Member List information into its proprietary database and prepared a data file for the initial mailing. Prior to mailing, KCC caused the addresses in the Class Member List to be updated using the National Change of Address database ("NCOA") maintained by the U.S. Postal Service. A total of 15,525 addresses were found and updated.

9. KCC identified 1,880 duplicative records. KCC removed these duplicative records from the Class Member List, resulting in 1,101,651 remaining on the Class Member List.

1           10.     On November 7, 2017, KCC emailed the Email Notice to each of the 303,831 valid email  
2 addresses on the Class Member List. There were 33,391 email addresses that were determined to be  
3 invalid and were withheld. A sample of the Email Notice is attached hereto as Exhibit C.

4           11.     Of the 303,831 Email Notices that were sent 281,574 were sent successfully and 22,257  
5 were undeliverable.

6           12.     On November 14, 2017, KCC mailed the Postcard Notice to each of the 819,631 persons  
7 where an email address was not available or the Email Notice was not delivered successfully and a  
8 postal mailing address was available. A sample of the Postcard Notice is attached hereto as Exhibit D.

9           13.     As of January 3, 2018, KCC has received a total of 15,294 Postcard Notices returned by  
10 the U.S. Postal Service with forwarding addresses. KCC caused the Class Member list to be updated  
11 with the new addresses and Postcard Notices to be re-mailed to the updated addresses. As of January 3,  
12 2018, KCC has received a total of 61,245 Postcard Notices returned by the U.S. Postal Service without  
13 forwarding address information.

14           14.     Direct notice was successfully delivered to 1,006,569 persons on the Class Member List,  
15 or 91.37 % of the Settlement Class.

16           15.     **Interactive Voice Response.** On October 27, 2017, KCC established an Interactive  
17 Voice Response (the "IVR") system to provide information about the settlement and to record requests  
18 for Notice Packets. As of January 3, 2018, 4,665 calls have been received by the IVR.

19           16.     **Website.** On October 27, 2017, KCC also established a website  
20 ([www.magazinesettlement.com](http://www.magazinesettlement.com)) dedicated to this settlement to provide additional information to the  
21 Class Members and to answer frequently asked questions. Visitors of the website can download a  
22 Notice; Claim Form; Preliminary Approval Order; Settlement Agreement; Notice of Motion for  
23 Attorneys' Fees, Expenses, and Incentive Award; Declaration of Joseph I. Marchese with Exhibits;  
24 Declaration of Shannon Taylor; and Memorandum of Law in Support of Plaintiff's Motion for  
25 Attorneys' Fees, Expenses, and Incentive Award. Visitors can also submit claims online. The web  
26 address was set forth in the E-mail Notice, Postcard Notice, and Claim Form. As of January 3, 2018, the  
27 website has received 22,856 visits.

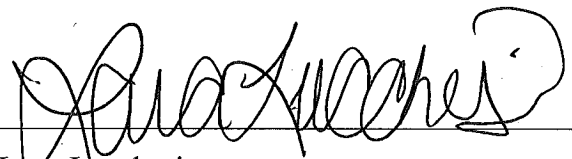
28           17.     **Requests for Exclusion.** The deadline for Class Members to request to be excluded from

1 the class was a postmarked deadline of December 21, 2017. As of the date of this declaration, KCC has  
2 received 11 requests for exclusion. A list of the Class Members requesting to be excluded is attached  
3 hereto as Exhibit E.

4 18. **Objections to the Settlement.** The deadline for Class Members to object to the  
5 Settlement was a postmarked deadline of December 21, 2017. As of the date of this declaration, KCC  
6 has not received any objections to the settlement.

7 19. **Claim Forms.** The deadline for Class Members to file a claim is a postmarked deadline  
8 of March 19, 2018. As of the date of this declaration, KCC has received 89,827 claim forms. KCC will  
9 continue the process of evaluating claim forms received and will continue to do so over the next few  
10 months. These numbers are subject to change as KCC continues our review of claims and since the  
11 filing deadline has not yet passed. In addition, these 89,827 claims have yet to be validated or screened  
12 for duplicates.

13  
14 I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true  
15 and correct to the best of my knowledge. Executed on this 9<sup>th</sup> day of January 2018 at San Rafael,  
16 California.

17  
18   
19 Lana Lucchesi